U.S. Department of Justice

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November 10, 2016

Charles Keller, Esq.
Federal Public Defender
972 Broad Street
Newark, New Jersey 07102

Re: Plea Agreement with CHARLES STANGO
Cr. 16-554 (WHW)

Dear Mr. Keller:

This letter sets forth the plea agreement between your client, CHARLES STANGO, and the United States Attorney for the District of New Jersey ("this Office").

Conditioned on the understandings specified below, this Office will accept a guilty plea from CHARLES STANGO to a one count Information that charges that an interstate facility, namely a telephone, was used with the intent that the murder of Victim-1 be committed, in violation of the laws of the State of New Jersey, namely N.J.S.A. 2C:11-3, as consideration for the receipt of, and as consideration for a promise and agreement to pay, things of pecuniary value, to wit: $50,000 in violation of Title 18, United States Code, section 1958(a). If CHARLES STANGO enters a guilty plea and is sentenced on the above charge, and otherwise fully complies with all of the terms of this agreement, this Office will not initiate any further criminal charges against CHARLES STANGO relating to the violations contained in criminal complaint #15-3528 (MF); filed on or about March 11, 2015, to include conspiracy to use interstate wires to engage in a crime of violence, namely murder; conspiracy to distribute controlled dangerous substances, namely cocaine; interstate wire communication with the intent to engage in prostitution. Furthermore, the defendant will also plead guilty to a VOSR filed by the Probation in Southern District of New York. That matter has been reassigned to District Court Judge William Walls in New Jersey for resolution. In the event that a guilty plea in this matter is not entered for any reason or the judgment of conviction entered as a result of this guilty plea does not remain in full force and effect, CHARLES STANGO agrees that any charges that are not time-barred by the applicable statute of limitations on the date this agreement is signed by CHARLES STANGO may be commenced against him, notwithstanding the expiration of the limitations period after CHARLES STANGO signs the agreement.

Sentencing

The violation of Title 18, United States Code, Section 1958 (a) to which CHARLES STANGO agrees to plead guilty carries a statutory maximum prison sentence of (10) ten years and a fine equal to the greatest of: (1) $250,000, or (2) twice the gross amount of any pecuniary gain that any persons derived from the offense, or (3) twice the gross amount of any pecuniary loss sustained by any victims of the offense.

The sentence to be imposed upon CHARLES STANGO is within the sole discretion of the sentencing judge, subject to the provisions of the Sentencing Reform Act, 18 U.S.C. §§ 3551-3742, and the sentencing judge's consideration of the United States Sentencing Guidelines. The United States Sentencing Guidelines are advisory, not mandatory. The sentencing judge may impose any reasonable sentence including the statutory maximum term of ten years (10) imprisonment and the maximum statutory fine. This Office cannot and does not make any representation or promise as to what guideline range may be found by the sentencing judge, or as to what sentence CHARLES STANGO ultimately will receive.

Further, in addition to imposing any other penalty on CHARLES STANGO, the sentencing judge: (1) will order CHARLES STANGO to pay an assessment of $100 pursuant to 18 U.S.C. § 3013, which assessment must be paid by the date of sentencing; (2) must order CHARLES STANGO to pay restitution (if applicable) pursuant to 18 U.S.C. § 3663 et seq.; (3) must order forfeiture pursuant to 18 U.S.C. § 924(d)(1); and (4) pursuant to 18 U.S.C. § 3583, may require CHARLES STANGO to serve a term of supervised release of not more than three (3) years. Should CHARLES STANGO be placed on a term of supervised release and subsequently violate any of the conditions of supervised release before the expiration of its term, CHARLES STANGO may be sentenced to imprisonment of not more than two (2) years in jail, in addition to any prison term previously imposed, regardless of the statutory maximum term of imprisonment set forth above and without credit for time previously served on post-release supervision, and may be sentenced to an additional term of supervised release.

Rights of This Office Regarding Sentencing

Except as otherwise provided in this agreement, this Office reserves its right to take any position with respect to the appropriate sentence to be imposed on CHARLES STANGO by the sentencing judge, to correct any misstatements relating to the sentencing proceedings, and to provide the sentencing judge and the United States Probation Office all law and information relevant to sentencing, favorable or otherwise. In addition, this Office may inform the sentencing judge and the United States Probation Office of: (1) this agreement; and (2) the full nature and extent of CHARLES STANGO's activities and relevant conduct with respect to this case.

Stipulations

This Office and CHARLES STANGO agree to stipulate at sentencing to the statements set forth in the attached Schedule A, which hereby is made a part of this plea agreement. This agreement to stipulate, however, cannot and does not bind the sentencing judge, who may make independent factual findings and may reject any or all of the stipulations entered into by the parties. To the extent that the parties do not stipulate to a particular fact or legal conclusion, each reserves the right to argue the existence of and the effect of any such fact or conclusion upon the sentence. Moreover, this agreement to stipulate on the part of this Office is based on the information and evidence that this Office possesses as of the date of this agreement. Thus, if this Office obtains or receives additional evidence or information prior to sentencing that it determines to be credible and to be materially in conflict with any stipulation in the attached Schedule A, this Office shall not be bound by any such stipulation. A determination that any stipulation is not binding shall not release either this Office or CHARLES STANGO from any other portion of this agreement, including any other stipulation. If the sentencing court rejects a stipulation, both parties reserve the right to argue, separately, on appeal or at post-sentencing proceedings that the sentencing court was within its discretion and authority to do so. These stipulations do not restrict this Office's right to respond to questions from the Court and to correct misinformation that has been provided to the Court.

Waiver of Appeal and Post-Sentencing Rights

As set forth in Schedule A, this Office and CHARLES STANGO waive certain rights to file an appeal, collateral attack, writ, or motion after sentencing, including but not limited to an appeal under 18 U.S.C. § 3742 or a motion under 28 U.S.C. § 2255.

Immigration Consequences (if applicable)

CHARLES STANGO understands that, if he is not a citizen of the United States, his guilty plea to the charged offense will likely result in his being subject to immigration proceedings and removed from the United States by making him deportable, excludable, or inadmissible, or ending his naturalization. CHARLES STANGO understands that the immigration consequences of this plea will be imposed in a separate proceeding before the immigration authorities. CHARLES STANGO wants and agrees to plead guilty to the charged offense regardless of any immigration consequences of this plea, even if this plea will cause his removal from the United States. CHARLES STANGO understands that he is bound by his guilty plea regardless of any immigration consequences of the plea. Accordingly, CHARLES STANGO waives any and all challenges to his guilty plea and to his sentence based on any immigration consequences, and agrees not to seek to withdraw his guilty plea, or to file a direct appeal or any kind of collateral attack challenging his guilty plea, conviction, or sentence, based on any immigration consequences of his guilty plea.

Other Provisions

This agreement is limited to the United States Attorney's Office for the District of New Jersey and cannot bind other federal, state, or local authorities.

This agreement was reached without regard to any civil or administrative matters that may be pending or commenced in the future against CHARLES STANGO. This agreement does not prohibit the United States, any agency thereof (including the Internal Revenue Service) or any third party from initiating or prosecuting any civil or administrative proceeding against CHARLES STANGO.

No Other Promises

This agreement constitutes the plea agreement between CHARLES STANGO and this Office and supersedes any previous agreements between them. No additional promises, agreements, or conditions have been made or will be made unless set forth in writing and signed by the parties.

Very truly yours,
PAUL J. FISHMAN
United States Attorney

By: V. GRADY O'MALLEY
Senior Litigation Counsel

APPROVED:

DAVID E. MALAGOLD
Chief, Organized Crime/Gangs Unit

I have received this letter from my attorney, Chester Keller , Esq. I have read it. My attorney and I have discussed it and all of its provisions, including those addressing the charge, sentencing, stipulations, waiver, and immigration consequences. I understand this letter fully. I hereby accept its terms and conditions and acknowledge that it constitutes the plea agreement between the parties. I understand that no additional promises, agreements, or conditions have been made or will be made unless set forth in writing and signed by the parties. I want to plead guilty pursuant to this plea agreement.

AGREED AND ACCEPTED:

CHARLES STANGO

Date: 11/3/2016

I have discussed with my client this plea agreement and all of its provisions, including those addressing the charge, sentencing, stipulations, waiver, and immigration consequences. My client understands this plea agreement fully and wants to plead guilty pursuant to it.

Chester Keller, Esq.

Date: 11/3/16

Plea Agreement With CHARLES STANGO

Schedule A

This Office and CHARLES STANGO recognize that the United States Sentencing Guidelines are not binding upon the Court. This Office and CHARLES STANGO nevertheless agree to the stipulations set forth herein, and agree that the Court should sentence CHARLES STANGO within the Guidelines range that results from the total Guidelines offense level set forth below. This Office and CHARLES STANGO agree that the calculation of the Guidelines range shall incorporate conduct relating to CHARLES STANGO's conviction for a violation of Title 18, United States Code, section 1958(a) namely, that an interstate facility, a telephone, was used with the intent that the murder of Victim-1 be committed, in violation of the laws of the State of New Jersey, namely N.J.S.A. 2C:11-3, as consideration for the receipt of, and as consideration for a promise and agreement to pay, things of pecuniary value, to wit: $50,000 in violation of Title 18, United States Code, section 1958(a).

1. This Office and CHARLES STANGO further agree that neither party will argue for the imposition of a sentence outside the Guidelines range that results from the agreed total Guidelines offense level.

2. The version of the United States Sentencing Guidelines ("U.S.S.G." or the "Guidelines") effective November 1, 2015, applies in this case.

3. The applicable Guideline for using an interstate facility with the intent to commit murder, [under N.J. Criminal Code 2C:11-3], is U.S.S.G. § 2E1.4. The Base Offense level will be 32. An "interstate facility" means use of a telephone.

4. As of the date of this letter, CHARLES STANGO has clearly demonstrated a recognition and affirmative acceptance of personal responsibility for the offense charged. Therefore, a downward adjustment of 2 levels for acceptance of responsibility is appropriate if CHARLES STANGO's acceptance of responsibility continues through the date of sentencing. See U.S.S.G. § 3E1.1(a).

5. As of the date of this letter, CHARLES STANGO has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting this Office to avoid preparing for trial and permitting this Office and the court to allocate their resources efficiently. At sentencing, this Office will move for a further 1-point reduction in CHARLES STANGO's offense level pursuant to U.S.S.G. § 3E1.1(b) if the following conditions are met: (a) CHARLES STANGO enters a plea pursuant to this agreement, (b) this Office in its discretion

determines that CHARLES STANGO's acceptance of responsibility has continued through the date of sentencing and CHARLES STANGO therefore qualifies for a 2-point reduction for acceptance of responsibility pursuant to U.S.S.G. § 3E1.1(a), and if CHARLES STANGO's offense level under the Guidelines prior to the operation of § 3E1.1(a) is 16 or greater, CHARLES STANGO will be entitled to a further 1-point reduction in his offense level pursuant to U.S.S.G. § 3E1.1(b).

6. After a downward adjustment for acceptance of responsibility, the adjusted combined offense level described above is 29 (the "agreed total Guidelines offense level").

7. The parties agree not to seek or argue for any upward or downward departure, adjustment or variance not set forth herein. The parties further agree that a sentence within the Guidelines range that results from the agreed total Guidelines offense level of 29, as set forth in Paragraph above, is reasonable.

8. CHARLES STANGO knows that he has and, except as noted below in this paragraph, voluntarily waives, the right to file any appeal, any collateral attack, or any other writ or motion, including but not limited to an appeal under 18 U.S.C. § 3742 or a motion under 28 U.S.C. § 2255, which challenges the sentence imposed by the sentencing court if that sentence falls within or below the Guidelines range that results from the agreed total Guidelines offense level of 29. This Office will not file any appeal, motion, or writ which challenges the sentence imposed by the sentencing court if that sentence falls within or above the Guidelines range that results from the agreed total Guidelines offense level of 29. The parties reserve any right they may have under 18 U.S.C. § 3742 to appeal the sentencing court's determination of the criminal history category. The provisions of this paragraph are binding on the parties even if the Court employs a Guidelines analysis different from that stipulated to herein. Furthermore, if the sentencing court accepts a stipulation, both parties waive the right to file an appeal, collateral attack, writ, or motion claiming that the sentencing court erred in doing so.

9. Both parties reserve the right to oppose or move to dismiss any appeal, collateral attack, writ, or motion barred by the preceding paragraph and to file or to oppose any appeal, collateral attack, writ or motion not barred by the preceding paragraph.